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1634 \$

AMENDMENT TRANSMITTAL LETTER

Docket No.
IGI-001CN3CPAApplication No.
09/335956Filing Date
June 18, 1999Examiner
B. FormanArt Unit
1634

Applicant(s): David C. Ward, Ph.D., et al.

Invention: DELINEATION OF INDIVIDUAL HUMAN CHROMOSOMES IN METAPHASE AND
INTERPHASE CELLS BY *IN SITU* SUPPRESSION HYBRIDIZATION

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

| CLAIMS AS AMENDED | | | | | |
|--|--|---|-----------------------------------|------|------|
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 4 | - 20 = | | x | 0.00 |
| Independent Claims | 1 | - 3 = | | x | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): Extension for response within third month | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity | | | | | |

No additional fee is required for this amendment.

Please charge Deposit Account No. 12-0080 in the amount of \$ 930.00.
A duplicate copy of this sheet is enclosed.

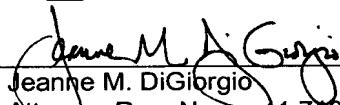
A check in the amount of \$ _____ to cover the filing fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner is hereby authorized to charge and credit Deposit Account No. 12-0080
as described below. A duplicate copy of this sheet is enclosed.

Credit any overpayment.

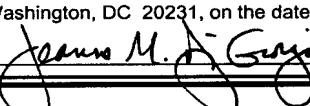
Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Jeanne M. DiGiorgio
Attorney Reg. No.: 41,710Dated: January 23, 2003

LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: January 23, 2003

Signature: 

(Jeanne M. DiGiorgio)

O I P E 3087
JAN 30 2003
P A T E N T
T R A M I T T A L

FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **930.00**

Complete if Known

| | |
|----------------------|----------------------|
| Application Number | 09/335956 |
| Filing Date | June 18, 1999 |
| First Named Inventor | David C. Ward, Ph.D. |
| Examiner Name | B. Forman |
| Group Art Unit | 1634 |
| Attorney Docket No. | IGI-001CN3CPA |

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None

Deposit Account

Deposit Account Number **12-0080**

Deposit Account Name **Lahive & Cockfield, LLP**

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments

Charge any additional fee(s) during the pendency of this application

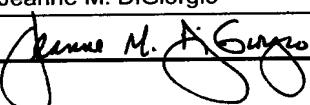
Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEES CALCULATION (continued)

3. ADDITIONAL FEES

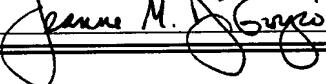
| Large Entity | Small Entity | Fee Description | Fee Paid |
|-----------------------------------|--------------|--|--|
| Fee Code | Fee Code | Fee Description | |
| 1051 | 130 | 2051 65 Surcharge – late filing fee or oath | |
| 1052 | 50 | 2052 25 Surcharge – late provisional filing fee or cover sheet. | |
| 1053 | 130 | 1053 130 Non-English specification | |
| 1812 | 2,520 | 1812 2,520 For filing a request for ex parte reexamination | |
| 1804 | 920* | 1804 920* Requesting publication of SIR prior to Examiner action | |
| 1805 | 1,840* | 1805 1,840* Requesting publication of SIR after Examiner action | |
| 1251 | 110 | 2251 55 Extension for reply within first month | |
| 1252 | 410 | 2252 205 Extension for reply within second month | |
| 1253 | 930 | 2253 465 Extension for reply within third month | |
| 1254 | 1,450 | 2254 725 Extension for reply within fourth month | |
| 1255 | 1,970 | 2255 985 Extension for reply within fifth month | |
| 1401 | 320 | 2401 160 Notice of Appeal | |
| 1402 | 320 | 2402 160 Filing a brief in support of an appeal | |
| 1403 | 280 | 2403 140 Request for oral hearing | |
| 1451 | 1,510 | 1451 1,510 Petition to institute a public use proceeding | |
| 1452 | 110 | 2452 55 Petition to revive – unavoidable | |
| 1453 | 1,300 | 2453 650 Petition to revive - unintentional | |
| 1501 | 1,300 | 2501 650 Utility issue fee (or reissue) | |
| 1502 | 470 | 2502 235 Design issue fee | |
| 1503 | 630 | 2503 315 Plant issue fee | |
| 1460 | 130 | 1460 130 Petitions to the Commissioner | |
| 1807 | 50 | 1807 50 Processing fee under 37 CFR 1.17(q) | |
| 1806 | 180 | 1806 180 Submission of Information Disclosure Stmt | |
| 8021 | 40 | 8021 40 Recording each patent assignment per property (times number of properties) | |
| 1809 | 750 | 2809 375 Filing a submission after final rejection (37 CFR 1.129(a)) | |
| 1810 | 750 | 2810 375 For each additional invention to be examined (37 CFR 1.129(b)) | |
| 1801 | 750 | 2801 375 Request for Continued Examination (RCE) | |
| 1802 | 900 | 1802 900 Request for expedited examination of a design application | |
| Other fee (specify) _____ | | | |
| *Reduced by Basic Filing Fee Paid | | | SUBTOTAL (3) (\$) 930.00 |

***or number previously paid, if greater; For Reissues, see above*

| SUBMITTED BY | | | Complete (if applicable) | |
|-------------------|---|--------------------------------------|--------------------------|--------------------------|
| Name (Print/Type) | Jeanne M. DiGiorgio | Registration No. (Attorney/Agent) | 41,710 | Telephone (617) 227-7400 |
| Signature |  | | Date | January 23, 2003 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date shown below.

Dated: January 23, 2003

Signature:  (Jeanne M. DiGiorgio)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re the Application of: D. Ward *et al.*

Serial No.: 09/335956

Filed: June 18, 1999

For: DELINEATION OF INDIVIDUAL HUMAN
CHROMOSOMES IN METAPHASE AND
INTERPHASE CELLS BY *IN SITU* SUPPRESSION
HYBRIDIZATION

Attorney Docket No: IGI-001CN3CPA

Group Art Unit: 1634

Examiner: Forman, B.

Commissioner for Patents
Washington, DC 20231

Certificate of First Class Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, on the date set forth below.

23 January 03
Date of Signature and of Mail Deposit

By:

Jeanne M. DiGiorgio
Jeanne M. DiGiorgio
Reg. No. 41,710
Attorney for Applicants

AMENDMENT AND RESPONSE

Dear Sir:

This is in response to the non-final Office Action dated July 24, 2002 (Paper No. 7). A separate request for the appropriate extension of time in which to respond is being filed concurrently herewith.

Please amend the application as follows:

In the Claims

Please cancel claims 1 and 4-7 without prejudice.

Please add new claims 19-21 as follows: